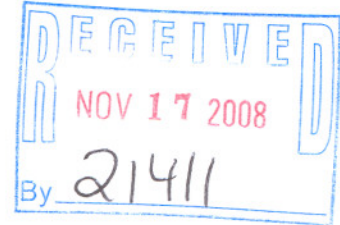


TOWNSHIP OF BYRAM  
NEW JERSEY

MAILING ADDRESS:  
10 MANSFIELD DRIVE  
STANHOPE, NJ 07874  
Phone: 973-347-2500  
Fax: 973-347-0502



WEBSITE ADDRESS:  
[www.byramtwp.org](http://www.byramtwp.org)



November 14, 2008

Judith Adams, COAH Planner  
State of New Jersey  
Council on Affordable Housing  
101 South Broad Street  
P.O. Box 813  
Trenton, NJ 08625-0813

Dear Ms. Adams:

Enclosed please find a signed and sealed copy of the November 13, 2008 duly adopted Notice of Intent to Petition in accordance with the Highland's Council's Plan Conformance Guidelines to COAH.

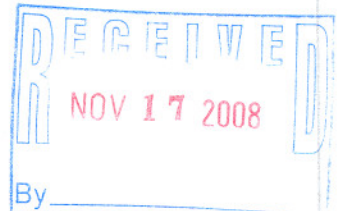
Please do not hesitate to contact me if you have any questions.

Sincerely,

Joseph W. Sabatini  
Township Manager

CC: Sean Thompson, COAH  
Larissa DeGraw, COAH  
Thomas Collins-Township Attorney  
Eileen Swan-Highlands Council

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 156 - 2008**



**RESOLUTION SEEKING AN EXTENSION OF THE DEADLINE TO  
PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO  
EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON  
AFFORDABLE HOUSING**

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, Byram Township hereby reserves its right and authority to petition COAH for substantive certification before December 31, 2008; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

WHEREAS, on November 13, 2008 the governing body of the Township of Byram adopted a resolution notifying the Highlands that the Township of Byram has set by December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Byram hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

BE IT FURTHER RESOLVED that the governing body of the Township of Byram hereby directs Township Manager Joseph Sabatini to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of Byram hereby directs Township Manager Joseph Sabatini to immediately transmit a signed and sealed copy of the November 13, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and



BE IT FURTHER RESOLVED that the governing body of the Township of Byram intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

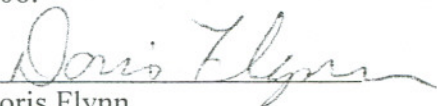
BE IT FURTHER RESOLVED that the governing body of the Township of Byram may exercise and hereby reserves its right and authority to petition COAH for substantive certification before December 31, 2008 with the understanding Byram Township can benefit from the coordination of COAH and Highlands regarding the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources.

BYRAM TOWNSHIP MAYOR AND COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:	X				
2nd				X	
Yes	X	X	X	X	X
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 13, 2008.

  
Doris Flynn  
Township Clerk